

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

DANIEL TUMMINS

CIVIL ACTION NO. 05-2204-A

-vs-

JUDGE DRELL

FREDRICK MENIFEE

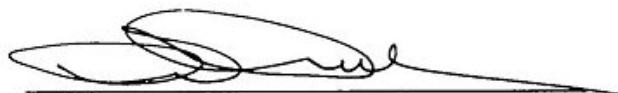
MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Findings and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law; and particularly noting the district court's judgment does not support petitioner's allegations that his concurrent sentence was intended to credit him for presentence incarceration,

IT IS ORDERED that this petition for writ of habeas corpus is DENIED AND DISMISSED WITH PREJUDICE.

SIGNED on this 3rd day of April, 2006, at Alexandria, Louisiana.



Dee D. Drell
United States District Judge